

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: INTERSTATE POWER AND LIGHT COMPANY	DOCKET NOS. PSA-04-1 PSA-04-2
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ORDER CANCELLING HEARING

(Issued November 9, 2004)

The Utilities Board (Board) issued an order opening Docket No. PSA-04-1, Interstate Power and Light Company, on August 12, 2004, directing Interstate Power and Light Company (IPL) to show cause why it should not be assessed civil penalties under the provisions of Iowa Code § 476.51 for violations of federal and Board gas safety regulations in IPL's Mason City zone. On September 10, 2004, the Board issued an order opening Docket No. PSA-04-2, Interstate Power and Light Company, directing IPL to show cause why it should not be subject to civil penalties for violations of federal and Board gas safety regulations in IPL's Creston zone.

In the September 10, 2004, order, the Board consolidated Docket Nos. PSA-04-1 and PSA-04-2 for hearing and established a procedural schedule for the filing of prepared testimony. The Board scheduled a hearing in the consolidated dockets for November 19, 2004.

On September 24, 2004, IPL filed the prepared testimony of Vern A. Gebhart, Edward C. Greiner, and James A. House. Attached to the testimony of Mr. House

were responses to Board staff inspection reports for the Mason City and Creston zones. On October 21, 2004, Board staff filed a reply to the IPL response and testimony concerning the Creston zone, and on October 25, 2004, Board staff filed a reply to the response and testimony concerning the Mason City zone.

On October 28, 2004, IPL filed an objection to the replies filed by Board staff and requested the Board strike the replies from the evidentiary record in these consolidated proceedings. Also on October 28, 2004, IPL filed a motion to compromise the two show cause proceedings pursuant to Iowa Code § 476.51 and requesting the Board take official notice of an updated response to the Board staff inspection reports of the Mason City and Belmond districts.

On November 3, 2004, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed a response to the motion to compromise. Consumer Advocate stated that the reporting requirements together with the civil penalties offered by IPL in the motion to compromise may constitute a reasonably satisfactory resolution of the two dockets.

The Board is reviewing the objection and motion to compromise filed by IPL and has determined that an order addressing the two filings will not be issued prior to November 19, 2004, the date scheduled for the hearing in these consolidated dockets. The Board will, therefore, cancel the hearing. Whether the hearing is rescheduled will depend on the Board's decision concerning the motion to compromise.

IT IS THEREFORE ORDERED:

The hearing scheduled for November 19, 2004, in these consolidated dockets is cancelled.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 9th day of November, 2004.